

EXHIBIT 213

Credible Fear and Asylum Process:
Fiscal Year (FY) 2008 – FY 2019

Out of 100 aliens who were to claim a credible fear...¹

CREDIBLE FEAR INTERVIEW

United States Citizenship and Immigration Services (USCIS) would refer **81 credible fear claimants to EOIR**

(81% of claims referred to EOIR)²

OPTION FOR EOIR TO REVIEW A NEGATIVE FEAR FINDING

7 cases are closed³

3 credible fear claimants would not request review by an immigration judge (IJ)

Alien Is Removed

9 credible fear claimants would request review by an IJ

CREDIBLE FEAR REVIEW (CFR)⁴

IJs would find credible fear for **2 credible fear claimants**

(IJs find credible fear in 22% of CFRs)

REMOVAL PROCEEDINGS

EOIR would receive and complete **83 I-862 cases⁵** originating from credible fear claims

ASYLUM APPLICATION

45 credible fear claimants would file for asylum

(Of completed I-862 cases originating from a credible fear claim made to USCIS, 54 percent of aliens filed for asylum)

ASYLUM DECISION

IJs would grant asylum to only **14 credible fear claimants** and would not grant asylum to **31 credible fear claimants**

(Of completed I-862 cases originating from a credible fear claim made to USCIS, IJs grant asylum 17 percent of the time)

... only 14 out of 100 would be granted asylum.



EOIR Data Generated: October 23, 2019,

¹ Percentages used in assessing this population may change as more cases are completed over time and because some cases may be reopened.

² Based on USCIS data (generated October 15, 2019). Includes claims referred to EOIR in which USCIS did not make a credible fear finding because it could not obtain an interpreter.

³ Closed cases include those in which a claim is dissolved or

withdrawn or an alien is found to be ineligible for the credible fear process.

⁴ If USCIS finds that an alien has not established a credible fear, the alien may request review of that finding by an IJ. If the IJ finds that an alien has established a credible fear, then the alien (unless the alien is a stowaway) is placed in removal proceedings.

⁵ Includes completed removal, exclusion, and deportation case types.